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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91183160
Party	Plaintiff BROWN BROTHERS HARRIMAN & CO.
Correspondence Address	ALLEN J. BADEN KENYON & KENYON LLP 333 W. SAN CARLOS ST. STE. 600 SAN JOSE, CA 95110 UNITED STATES TMDOCKETSJ@KENYON.COM
Submission	Motion to Consolidate
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Date	03/27/2008
Attachments	BIDS_consolidationrequest.pdf (3 pages)(50877 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

BROWN BROTHERS HARRIMAN & CO.

V.

BIDS HOLDINGS L. P.

Opposition No. 91181503
Serial No. 78/931,670

BROWN BROTHERS HARRIMAN & CO.

V.

BIDS HOLDINGS L., P.

Opposition No. 91183160
Serial No. 78/931,697

Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

MOTION TO CONSOLIDATE OPPOSITION PROCEEDINGS

Pursuant to TBMP Section 511 and Fed. R. Civ. P. 42(a), Opposer, Brown Brothers Harriman & Co., respectfully requests the Board consolidate the two above-captioned opposition proceedings. Opposer is filing this Motion to Consolidate in both proceedings.

As evidenced by the Notices of Opposition filed in connection with the subject proceedings, the two proceedings may be presented on the same record without appreciable inconvenience or confusion. In particular, (i) both marks being opposed are identical except for the addition of the words “BLOCK INTEREST DISCOVERY SERVICES” in the later filed proceeding; (ii) Opposer will rely on the same registered service mark of Opposer in both proceedings; and (iii) the services are the same in both proceedings, as are the parties. Moreover, the first initiated proceeding is in its infancy, as the parties have not yet made their initial disclosures.

Accordingly, consolidation is warranted for both trial and decision. Consolidation also will serve the best interests of judicial economy, promote efficient administration of these proceedings, avoid inconsistent results, and save time, effort, and expense by allowing the parties to present essentially the same testimony just once, submit one set of trial briefs, and attend one oral argument before the Board.

The undersigned counsel for Opposer discussed his intention to consolidate the two proceedings (once both were initiated) with Applicant's counsel of record.

Good cause being shown, Opposer respectfully requests that the Board consolidate Opposition Proceeding Nos. 91181503 and 91183160.

Please address all future communications regarding this opposition to the following attorney of record for Opposer:

Allen J. Baden
KENYON & KENYON LLP
333 West San Carlos Street
San Jose, California 95110
Telephone: (408) 975-7500
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Applicant files this Notice of Opposition electronically, pursuant to 37 C.F.R. § 2.104(a). Please charge any fees associated with this proceeding to the undersigned attorney's Deposit Account 11-0600.

Respectfully submitted,

Dated: March 27, 2008

By: /Allen J. Baden/
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE
TRADEMARK TRIAL AND APPEAL BOARD**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document titled **Request for Consolidation of Opposition**

Proceedings was emailed (by agreement) to:

Andrew L. Goldstein
Freeborn & Peters
311 S. Wacker Drive
Suite 3000
Chicago, IL 60606
agoldstein@freebornpeters.com

with a confirmation sent to the above address by first-class postage-prepaid envelope deposited with the United States Postal Service at San Jose, California, on the date set forth below.

DATED: this 27th day of March 2008.

I. Marie Kotsubo

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